Asian American Resource Center – Phase II Improvements

Construction Manager-at-Risk Solicitation No. CLMA041

Capital Contracting Office
Public Works Department
Parks and Recreation Department

March 23, 2021



CLMA041 Pre-Proposal Meeting

| Sign-In / Welcome / Overview | Tracy Franklin Alternative Delivery Services Division, CCO | | |
|---|--|--|--|
| Wage Compliance Overview | Olga Jimenez Wage Compliance Division, CCO | | |
| MBE/WBE Procurement Program | Jessica Oberembt Small and Minority Business Resources Department (SMBR) | | |
| Project Description / Scope of Work | David Nicks Public Works Department Christina Bies Parks and Recreation Department | | |
| Construction Manager-at-Risk Contract Overview Evaluation Criteria Submission of eResponses Summary | Tracy Franklin Alternative Delivery Services Division, CCO | | |
| Questions/Answers | All | | |

Overview of Procurement

- ☐ The Anti-Lobbying Ordinance is in effect from solicitation issue date until contract execution date, or 60 days after Council approval
- ☐ Per the Anti-Lobbying Ordinance, you may only contact "Authorized Contact Persons" for all questions outside of this meeting
 - Deadline for questions: April 15, 2021
 - Submittals due prior to 2:00 PM: April 26, 2021
 - Anticipated Council: July 2021



WAGE COMPLIANCE PROGRAM

Olga Jimenez Wage Compliance Division, CCO



CAPITAL CONTRACTING OFFICE Wage compliance program



Olga Jimenez
CCO Representative
olga.jimenez@austintexas.gov

OVERVIEW

WAGE COMPLIANCE PROGRAM
CONTRACT REQUIREMENTS

- SECTION 00830, WAGE RATES AND PAYROLL REPORTING
 - Prevailing Wage Requirements
 - Wage Rates Are Not Attached
 - Wage Rates Will Be Attached At Time of Construction Work Solicitation or GMP (Guarantee Maximum Price)
 - ➤ Building Construction (BC) Wage Scale
 - Certified Payrolls

>QUESTIONS?

Wage compliance team

- Garrett Cox Program Manager
- Baldemar Maldonado Program Supervisor
- Beatriz Güereca-Davalos–Wage Representative
- Jermaine Anderson-Wage Representative
- Ruben Cantu-Wage Representative
- Olga Jimenez-Wage Representative



MBE/WBE PROGRAM

Jessica Oberembt

Small and Minority Business Resources Department





Small & Minority Business Resources Department

Section 1: MBE/WBE Goals

- Goals have been assigned to this solicitation
 - ► African American 3.58%
 - ► Hispanic 4.24%
 - Combined Asian/Native American 2.18%
 - ▶ WBE 5.24%
- Section 1 of the compliance plan is autogenerated with the information specific to this solicitation

Appendix A

MBE/WBE COMPLIANCE PLAN

All applicable sections must be completed and submitted by the due date and time as indicated in the solicitation documents.

The Bidder/Proposer by submitting and signing this solicitation's 0300 form, understand and agree that the MBE/WBE Compliance Plan submitted as a part of the bid/proposal shall become a part of the contract with the City of Austin. The Bidder/Proposer further understand that the City of Austin's Minority-owned and Women-owned Business Enterprise Procurement Program Ordinance) and the Small and Minority Business Resources Department (SMBR) Rules shall apply.

| Section I — Project Identification and Goals | | |
|--|--|--|
| Project Name CMR Services for Asian American Resource Center Renovations | | |
| Solicitation Number RFQS 6100 CLMA041 | | |

| Project Goals or Subgoals | | | |
|---------------------------|--------|--|--|
| Combined MBE/WBE | - % | | |
| MBE | - % | | |
| African American | 3.58 % | | |
| Hispanic | 4.24 % | | |
| Asian/Native American | 2.18 % | | |
| WBE | 5.24 % | | |

Section 2: Bidder Company Information 11

- All company information should match the information on Vendor Profile
 - Company Name, Address and Vendor Code
 - Contact person is who we can speak to regarding compliance plan
- ▶ Indicate how Prime's participation is to be counted towards the goals.

| Section II — Bidder Company Information | | | |
|--|--|--|--|
| Company Name | | | |
| Address | | | |
| City, State Zip | | | |
| Phone | | | |
| Fax | E-Mail | | |
| Name of Contact Person | | | |
| Is your company registered on Vendor Connection? | Yes If yes, provide Vendor Code No All vendors; Subconsultants and consultants must register with COA's Vendor Connect prior to award. See Link for registration information at www.austintexas.gov/vendor_registration | | |
| Is your company COA M/WBE certified? | Yes No (If yes, please indicate type below) 1. MBE WBE MBE/WBE Joint Venture 2. AA H A/NA WBE | | |
| City of Austin SMBR Use Only | | | |
| I have reviewed this Compliance Plan and found that the Bidder HAS 🔲 HAS NOT 🔲 complied as per the City Code Chapter 2-9A through GFE. | | | |
| Reviewing Counselor Date | | | |
| I have reviewed this Compliance Plan and have found the Bidder COMPLIANT NON-COMPLIANT | | | |
| Director / Assistant Director Date | | | |

- ► This section is a summary of Subcontractor participation in this Bid. Therefore, if there are any inconsistencies between Sections 4-7 and section 3, the calculations contained in Sections 4-7 will prevail.
 - ▶ Percentages should total 100%
- If the Bidder indicates that they did not meet the goals with certified MBE/WBE firms, then the Bidder shall submit documentation detailing their Good Faith Efforts (GFE) to meet the goals.
- Use <u>Base Bid Amount</u> to calculate Subcontractors' percentages, if applicable.

| | Appendix A | | |
|-------------|---|--|--|
| Sect | Section III — MBE/WBE Compliance Plan Summary & Statement of Responsibility | | |
| Directions: | | | |
| • | For each subcontractor listed in Sections IV, V, VI or VII, fill in all blanks (if applicable). | | |
| • | For project participation numbers use an EXACT number. | | |
| | Goal percentages should be based on the Base Bid amount only. Allowances are not included. | | |
| | Alternates are not recorded on this MBE/WBE Compliance Plan. | | |
| • | If Proposer is a certified MBE/WBE, include participation details in the Proposer box ONLY. | | |
| | MRE /WRE Compliance Plans not complying with these requirements shall be rejected as non-responsive | | |

Is the stated project goal of the solicitation met? (If no, attach documentation of Good Faith Efforts) Yes 🗌 No 🗍

| PROPOSED PART Use this section to | | | |
|---|--------|--------------------|-----------|
| Include all details including the total dollar amou | | | e. |
| MBE/WBE Project Goal | | Proposer Participa | tion Goal |
| African American | 3.58 % | \$ | % |
| Hispanic | 4.24 % | \$ | % |
| Asian/Native American | 2.18 % | \$ | % |
| WBE | 5.24 % | \$ | % |
| MBE | - % | \$ | % |
| MBE/WBE Combined | - % | \$ | % |
| Non-Certified | | \$ | % |
| Total Subcontractor Amount | | \$ | % |
| Proposer's Own Participation | | | |
| (less any subcontracted amount) | | | |
| Are you counting your own participation toward | | \$ | % |
| the goals? (if yes, indicate below) | | | |
| ☐ AA ☐ HIS ☐ A/NA ☐ WBE ☐ MBE | | | |

| Base Bid Amount (Subs + Proposer amount) | \$ | 100 % |
|--|----|-------|
| Dase Did Alliount (Subs / 110poset alliount) | Ψ | |

- ► This is a Construction Manager at Risk solicitation
 - ▶ If additional scopes of work or subconsulting opportunities are identified, reach out to SMBR for an availability list
- ▶ This is the **PRE-CONSTRUCTION** phase
 - When design documents have been substantially completed, new goals and MBE/WBE Compliance plans for each Guaranteed Maximum Price proposals.
- Sign that you understand you are responding to a Construction Manager at Risk solicitation

Appendix A

STATEMENT OF RESPONSIBILITY

I understand I am responding to an Alternative Delivery Method-Construction Manager at Risk solicitation. I understand and affirm I have filled out this Compliance Plan in accordance with applicable City Code and Program Rule requirements and must comply with the MBE/WBE Program in order to be considered for selection of this solicitation. If chosen for this Solicitation, compliance with the City's MBE/WBE Procurement Program ordinances and rules is required. The City has determined that subcontracting opportunities will arise for Construction Phase Services of this project, however the specific scopes of work and magnitude of the scopes of work cannot be determined until the design for the project has been completed. When the design documents have been substantially completed, the City will establish appropriate MBE/WBE goals, and the Construction Manager under contract shall submit a MBE/WBE Compliance Plan meeting the goals or documentation detailing their Good Faith Efforts to meet the established MBE/WBE goal with the Guaranteed Maximum Price Proposals. I agree to contact SMBR at smbc.compliance.edocuments@austintexas.gov in order to facilitate this process. I agree to meet the solicitation goals specified in the chart above utilizing the firms listed on the Compliance Plan as scopes of work for the pre-construction phase of this project.

This signed Statement of Responsibility is my commitment to the requirements of the MBE/WBE Procurement Program which will become a part of my contract with the City of Austin, if selected.

| Risk Solicitation. If chosen for the City's MBE/WBE Procus | or this Solicitation, the City of A rement Program, and this signe ents of the MBE/WBE Procuren | y Method-Construction Manager : ustin will require me to comply wit d Statement of Responsibility is m nent Program which are a part of m |
|---|---|--|
| Authorized Representative | (Print or Typed) | Company Title |
| Authorized Representative | (Signature) | Date |

Section 4: Disclosure of Certified Subs

- All company information should match the information on Vendor Profile
 - Company Name, Address and Vendor Code
 - Contact person is who we can speak to regarding compliance plan
 - ▶ Only indicate the codes you <u>intend to</u> <u>use them for</u>, not all the ones listed on their vendor profile.
- Note: Dually certified firms may only count towards either the MBE goal OR the WBE goal, not both.

| | Appendix A |
|--|---|
| Section IV — D | isclosure of MBE and WBE Subcontractors (Duplicate as Needed) |
| Note: | |
| • Fill in all the blanks (use "none" or "N/A" wh | nere appropriate). |
| Fill in names of MBE/WBE certified Firms as | s registered with City of Austin Vendor Connection. |
| · Select either MBE or WBE for dually certified | firms to indicate which certification will count towards the MBE or WBE goal. |
| . List only the scopes of work that you intend the | ne subcontractor to perform. Do not list all scopes a subcontractor can perform. |
| Contact SMBR to request an availability list of availability list. | of certified Firms for additional scopes of work that were not included on the original |
| Name of MBE/WBE Certified Firm | |
| City of Austin Certification Data | ☐ MBE ☐ WBE Gender/ Ethnicity: |
| City Of Austin Vendor Code | |
| Address/ City / State / Zip | |
| Contact Person & Phone | |
| Fax & Email Address | |
| Commodity Codes | |
| Commodity Codes Descriptions | |
| Amount of Subcontract | \$ % |
| | |
| Name of MBE/WBE Certified Firm | |
| City of Austin Certification Data | MBE WBE Gender/ Ethnicity: |
| City Of Austin Vendor Code | |

Section 5: Disclosure of Non-Certified Subs

- All company information should match the information on Vendor Profile
 - Company Name, Address and Vendor Code
 - Contact person is who we can speak to regarding compliance plan
 - Only indicate the codes you intend to use them for, not all the ones listed on their vendor profile.

| Section V Di | Appendix A sclosure of Non-Certified Subcontractors |
|--|---|
| section v — Di | (Duplicate as Needed) |
| Note: | (2 opnesse se recess) |
| Fill in all the blanks (use "none" or "N/A" whe | ere appropriate). |
| MBE/WBE Compliance Plans not complying v | with these requirements shall be rejected as non-responsive. |
| Fill in names of Non-Certified Subcontractors a | as registered with the City of Austin. |
| List only the scopes of work that you intend the | e subcontractor to perform. Do not list all scopes a subcontractor can perform. |
| Name of Non-Certified Subcontractor | |
| | |
| City Of Austin Vendor Code | |
| City Of Austin Vendor Code Address/ City / State / Zip | |
| City Of Austin Vendor Code | |
| City Of Austin Vendor Code Address/ City / State / Zip Contact Person & Phone # Fax & Email Address | |
| City Of Austin Vendor Code Address/ City / State / Zip Contact Person & Phone # Fax & Email Address Commodity Codes | |
| City Of Austin Vendor Code Address/ City / State / Zip Contact Person & Phone # Fax & Email Address | \$ |
| City Of Austin Vendor Code Address/ City / State / Zip Contact Person & Phone # Fax & Email Address Commodity Codes Commodity Codes Descriptions | \$ % |
| City Of Austin Vendor Code Address/ City / State / Zip Contact Person & Phone # Fax & Email Address Commodity Codes Commodity Codes Descriptions Amount of Subcontract | \$ % |

Section 6: Disclosure of 2nd Tier Subs

- List any Subcontractors that will be 2nd tier to your Subcontractors
- All company information should match the information on Vendor Profile
 - Company Name, Address and Vendor Code
 - Contact person is who we can speak to regarding compliance plan
 - Only indicate the codes you intend to use them for, not all the ones listed on their vendor profile.
- Note: Dually certified firms may only count towards either the MBE goal OR the WBE goal, not both.

| Appendix A Section VI — Disclosure of Second-Level Subcontractors | | | | |
|--|---|--|--|--|
| (Duplicate as Needed) | | | | |
| Note: | | | | |
| Fill in all the blanks (use "none" or "N/A" when | ere appropriate). | | | |
| | with these requirements shall be rejected as non-responsive. | | | |
| Fill in names of Second-Level Subcontractors as | | | | |
| List only the scopes of work that you intend the | e subcontractor to perform. Do not list all scopes a subcontractor can perform. | | | |
| N 60 11 101 | | | | |
| Name of Second-Level Subcontractor | | | | |
| City of Austin Certification | No MBE WBE Gender/Ethnicity: | | | |
| City Of Austin Vendor Code | | | | |
| Address/ City / State / Zip | | | | |
| Contact Person & Phone # | | | | |
| Fax & Email Address | | | | |
| Commodity Codes | | | | |
| Commodity Codes Descriptions | | | | |
| Amount of Subcontract | \$ % | | | |
| First-Level Subcontractor | | | | |
| Name of Second-Level Subcontractor | | | | |
| City of Austin Certification (choose one) | No MBE WBE Gender/ Ethnicity: | | | |
| City Of Austin Vendor Code | | | | |
| Address/ City / State / Zip | | | | |

Section 7: Disclosure of Primary and Alternate Trucking Subs

- All company information should match the information on Vendor Profile
 - Company Name, Address and Vendor Code
 - Contact person is who we can speak to regarding compliance plan
 - Only indicate the codes you intend to use them for, not all the ones listed on their vendor profile.
 - Note: Dually certified firms may only count towards either the MBE goal OR the WBE goal, not both.
- You may list haulers in Section 7 and the corresponding section 4-6 to ensure proper counting of participation

| | | | Appendix A |
|---|-----------------------------------|--------------------------|-------------------|
| Section VII — Disclosure of Primary and Alternate Trucking Subcontractors (Duplicate as Needed) | | | |
| Note: | | | |
| Fill in all the blanks (use "none" or "N/A" v | 11 1 | | |
| MBE/WBE Compliance Plans not complying | | | |
| List only the scopes of work that you intend | | | ctor can perform. |
| Fill in names of Primary and Alternate Truck | ting Subcontractors as registered | with the City of Austin. | |
| Primary Trucking Subcontractor | | | |
| City of Austin Certification | No MBE | WBE Gender/ Ethnicity | ν: |
| City Of Austin Vendor Code | | | |
| Address/ City / State / Zip | | | |
| Contact Person | | Phone: | |
| Commodity Codes | | | |
| Commodity Codes Descriptions | | | |
| Amount of Subcontract | \$ | | % |
| | | | |
| Alternate Trucking Subcontractor | | | |
| City of Austin Certification | No MBE | WBE Gender/Ethnicity | y: |
| City Of Austin Vendor Code | | | |
| Address/ City / State / Zip | | | |
| Contact Person | | Phone: | |
| Commodity Codes | | | |
| Commodity Codes Descriptions | | | |

- Is each stated project goal of the solicitation met?
 - ▶ If "Yes", GFE requirements are satisfied
 - ▶ If "No", perform GFE as indicated in the Section 8 Checklist.

| Section VIII — MBE/WBE Compliance Plan Check List | 100000 | oendix A |
|---|---------------|----------|
| Is each stated project goal of the solicitation met? | | |
| Yes \ \ \ No \ \ | | |
| (If no, complete and submit Section VIII Compliance Plan Check List) | | |
| | | |
| the goals or subgoals were not achieved, all questions in Section VIII must be completed an fifters documentation must be submitted with the MBE/WBE Compliance Plan. The abmission of this form is not required if the above question is answered Ye. | | |
| Is the following documentation attached to support good faith effort requirements to achieve | re goals or s | ubgoals? |
| Copy of written solicitation sent to MBE/WBEs in SLBP area 7 business days prior to the submission of this Compliance Plan | Yes 🗌 | No 🗌 |
| Two separate methods of notices sent to MBE/WBEs in SLBP area Indicate notice types: fax transmittals emails phone log letters | Yes 🗌 | No 🗌 |
| Copy of advertisements placed in local publication | Yes 🗌 | No 🗌 |
| Copy of notices sent to Minority and Women organizations | Yes 🗌 | No 🗌 |
| Documentation that demonstrates additional GFEs: Efforts to assist interested MBEs/WBEs in obtaining bonding, lines of credit, or insurance as required by the City or contractor. Efforts to assist interested MBEs/WBEs in obtaining necessary equipment, supplies, materials, or related assistance or services. Efforts made to reach agreements with the MBE/WBEs who responded to Bidder's written notice. | Yes 🗌 | No 🗌 |
| Were additional elements of work identified to achieve the goals or subgoals? | Yes 🗌 | No |
| If yes, please explain: Was SMBR contacted for assistance? | Yes | No |
| If yes, complete following: | 165 | INO |
| Contact Person: | | |
| Date of Contact: | | |
| Summary of Request: | | |
| Were Minority or Women organizations contacted for additional assistance? | Yes | No |
| If yes, complete following: | | 100000 |
| Organization(s): | | |
| Date of Contact: | | |
| Summary of Request | | |

- Please complete the MBE/WBE Compliance Plan Check Sheet with the information requested.
- All questions in Section VIII must be completed and submitted with the Compliance Plan if goals or subgoals are not met.
 - Solicitations must be sent to MBE/WBEs within the SLBP within seven (7) business days prior to bid due date.
 - Local advertisement examples include but is not limited to local newspaper, local trade association publication, or via electronic/social media.
 - Be sure to reach out and contact our local minority trade associations (Asian Contractor Assoc., Austin Area Black Contractors Assoc., & US Hispanic Contractors Assoc. de Austin)

| nd Good Fa | |
|---------------|---|
| od Good Fa | |
| nd Good Fa | |
| od Good Fa | |
| e completion | |
| ve goals or s | ubgoals? |
| Yes 🗌 | No 🗌 |
| Yes | No |
| | |
| 2 | |
| - | |
| | |
| Yes | No |
| | |
| | |
| | |
| | Yes Yes |

Reminders/Tips

- Review solicitation documents for project goals
- ▶ Verify MBE/WBE certifications
 - ▶ All vendors must be registered with the City of Austin
 - ▶ Certification is a separate process
- Use the availability list and contact SMBR if additional scopes of work are identified
- Don't forget to include your Confirmation Letters with your Subcontractors
- Attach good faith effort documentation if goals are not met

Questions?

Jessica Oberembt Business Development Supervisor Jessica.Oberembt@austintexas.gov 512-974-7256

Main SMBR Contact Information SMBRComplianceDocuments@austintexas.gov



David Nicks - Project Manager
 Public Works Department
 Christina Bies - Project Coordinator
 Parks and Recreation Department



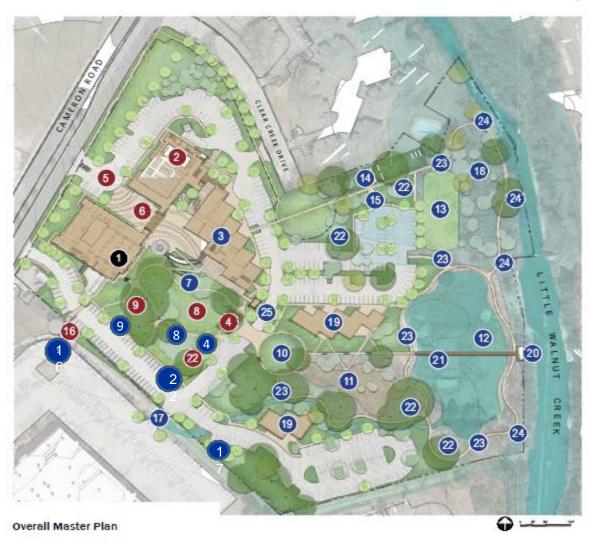


Asian American Resource Center

8401 Cameron Rd, Austin, TX 78754

Construction Manager at Risk–Phase II Improvements





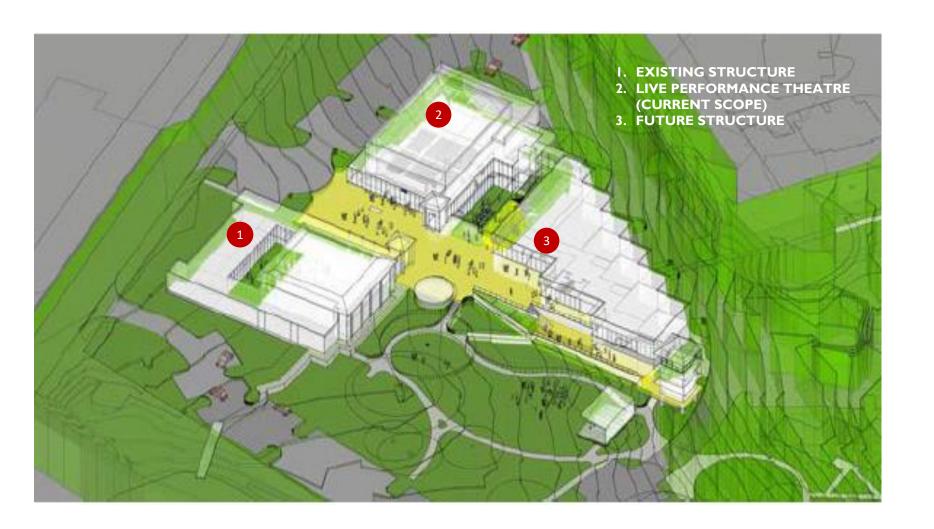
- https://www.austintexas.gov/department/asianamerican-resource-center-master-plan
- Phase 1 Completed in 2013 (Existing)
- Phase 2 This Solicitation (CLMA041)
 \$4,800,000 Construction Budget
- Phase 3 Future Projects

Primary Scopes of Work

350 SEAT LIVE PERFORMANCE THEATER ASSOCIATED PROGRAMMATIC SPACES

Secondary Scopes of Work

SURFACE PARKING
ASSOCIATED SITE IMPROVEMENTS



Anticipated Services

- Review existing 2019 Master Plan and refine scope of work for Phase II Improvements – in collaboration with selected Architectural+Engineering Consultant, Stake Holders and the City to align the most scope with the Project Budget
- This project will include Construction Manager-at-Risk Services for all project phases including all Design Phases, Construction and Post Construction Phases
- Develop opinions of probable costs
- Provide constructability reviews of design documents
- Sequencing and Scheduling of work and evaluations of potential alternative designs, systems and materials
- Participate in presentations to the community during design and construction phases including presentations to boards and commissions as requested
- The City of Austin is committed to a sustainability standard per resolution 20071129-045 that calls for this project to achieve a LEED BD+C v.4.1 Silver or better certification
- Art in Public Places Consistent with City of Austin bond-funded projects, the
 project will include a public art component to be delivered under a separate
 contract by the Art in Public Places (AIPP) program. The selected Construction
 Manager-at-Risk will collaborate with the selected AIPP artist, and selected Design
 Consultant in the coordination and installation of the AIPP commission artwork.

Target Dates

- Commence Design August 2021
- Execute CMR Contract October 2021
- Complete Design August 2023
- Commence Construction October 2023
- Complete Construction March 2025

Alternative Project Delivery

Tracy Franklin

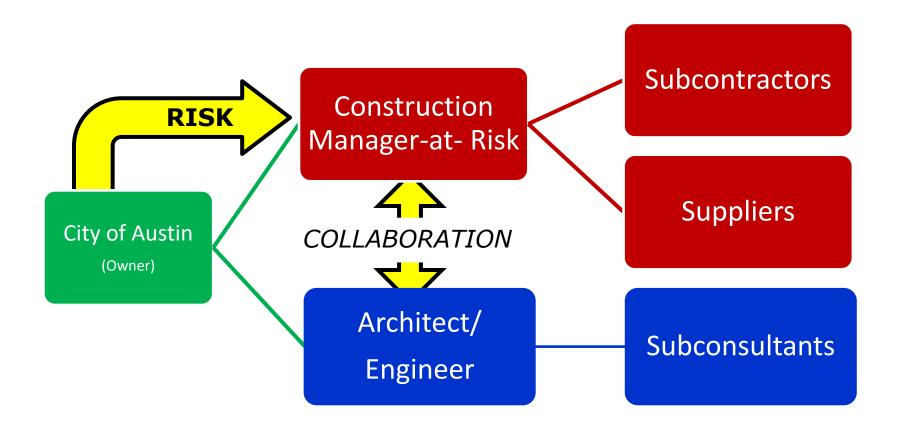
Alternative Delivery Services Division, CCO



Construction Manager-at-Risk (CMR)

- City contracts with CMR and separately with A/E (Designer)
- CMR performs:
 - Preconstruction Phase Services [during Design Phase]
 - Construction Phase Services [negotiated Guaranteed Maximum Price (GMP) at 60% construction documents GMP Amendment(s)]

Construction Manager-at-Risk (CMR)



CMR Firm is on-board during Design Phase to collaborate with City and City's design team

CMR Method - City Expectations

Recipe for Success:

- ☐ Early CMR involvement that enables construction engineering considerations to be incorporated into the Design Phase and enhances the constructability of the engineered project plans
- ☐ Open communications throughout the project
- ☐ Integrated team approach to control
 - Budget / Costs
 - Schedule

CMR Responsibilities

> CMR is responsible for both Preconstruction Phase Services and Construction Phase Services

➤ Concurrently, the A/E (Architect or Engineer) is contracted to provide Design Services and Construction Administration

Preconstruction Phase Services (during design)

- CMR reviews design for constructability, recommends improvements, proposes construction efficiencies, advises on limitations of work and conditions
- CMR provides cost estimates, budgets, projections, schedules
- > CMR participates in (or runs) project team meetings, provides reports, etc.



Note: Most Preconstruction Phase Services are provided by the CMR but subcontractor opportunities do exist. A Compliance Plan is required to meet the set goals.

Pre-Construction Phase Services (planning for construction)

- > CMR provides recommendations on dividing up the construction by "work packages" for soliciting
- > CMR conducts outreach with construction trades
- > CMR collaborates with SBMR, identifies trade summary for MBE/WBE goals
- CMR advertises the "work packages" in accordance with procurement plan

Pre-Construction Phase Services (planning for construction)

- > CMR conducts outreach/pre-proposal conferences
- CMR receives bids/proposals, evaluates, negotiates as needed (City Staff attends bid/proposal opening -- not a public opening)
- ➤ CMR submits Request for Changes for subs (to meet the Compliance Plan submitted for Preconstruction Phase Services)
- > CMR provides GMP Proposal for Construction

Construction Phase Services

The Construction Phase starts
ONLY after successful
negotiations of a Guaranteed
Maximum Price and GMP
Amendment has been executed.



- **➢** Work can be phased for multiple work packages thus creating multiple sub opportunities
- > Some work may begin early before completion of full design
- All aspects of the construction are managed by the CMR
- > The City has an integrated role in reviewing/approving subcontractor recommendations

IMPORTANT CONSIDERATIONS

- A clear understanding of the following complex contract components is needed during negotiation of the contract:
 - CM Fee (precon and construction)
 - General Conditions costs
 - Construction costs (GMP)
 - Contingency costs (GMP)
 - ➤ Allowances (GMP)
 - Project schedule
 - > Change Orders (unforeseen site conditions or added scope)
 - > Savings are returned to the City unless negotiated otherwise
 - Multiple phases = multiple GMPs = multiple completion dates = multiple bonds/insurance

CITY COUNCIL'S ROLE

 Authorized use of Alternative Project Delivery Method per Project

 Approves award and authorizes negotiations with the top-ranked firm

 Approves funding and authorizes negotiations and execution of amendments and/or GMPs

CMR - Evaluation Criteria Overview

| Consideration Item # | Title | Gate Keeper |
|--|--|-------------|
| 1 | M/WBE Goals Procurement Program | Y/N |
| 2 | Safety Record | Y/N |
| 3 | Financial Capability | Y/N |
| 4 | Acceptable Documentation | Y/N |
| | | Max Points |
| 5 | Experience of Construction Manager at Risk (CMR) | 25 |
| 6 | Experience of Proposed CMR Team Members | 25 |
| 7 | Experience of Proposed Major Subconsultants/Subcontractors | 10 |
| 8 | CMR Team Structure | 10 |
| 9 | Work Approach and Delivery Schedule | 15 |
| CMR Reputation, Quality of Goods and Services and Business Practices | | 20 |
| 11 | CMR Team Experience with Austin-Area Issue | 10 |
| 12 | Local Business Presence | 5 |
| 13 | Service Disabled Veteran Business Enterprise (SDVBE) | 4.5 |
| 14 | Proposed Fees | 30 |
| 15 | Presentation/Interview (optional) | 25 |
| | Maximum Possible Points, including Optional Interview | 179.5 |

CMR - Evaluation Criteria

Responses must include an Executive Summary prefacing the Response. (See Item 4 of 00101CMR)

- □ REQUEST FOR PROPOSAL
 - Offerors must respond to Items 1 through 14. The City reserves the right to request additional information, as well as to conduct interviews.
- ☐ REQUEST FOR PRESENTATIONS/INTERVIEWS
 - Owner may determine that it is necessary to interview Offerors prior to making a recommendation to the City Council. If Interviews are necessary, all Offerors will be interviewed.

Section 00101CMR Evaluation Criteria – Gatekeepers

<u>Item 1: MBE/WBE Procurement Program</u> Yes or No

The City has issued MBE/WBE goals for the **Preconstruction Phase services**. The Offeror must comply with City's MBE/WBE participation requirements. If the Offeror has neither met the goals nor made GFE to meet the goals, it will be found to be nonresponsive and will not be considered for award of the contract.

The Offeror must submit:

| Section 00460 CMR, MBE/WBE Statement of Responsibility |
|--|
| Compliance Plan – pre-construction phase |
| Letters of commitment from the named subs working during the |
| Preconstruction Phase |

Section 00101CMR Evaluation Criteria – Gatekeepers

Item 2: Safety Record

Yes or No

The following factors may be considered, but are not limited to: Experience Modifier Rate, Lost Time Incident Rate, Total Recordable Case Rate, and OSHA Citations. If, based on the entirety of the Offeror and/or Major Subcontractors' safety records, industry standards, and the risks associated with the current Project, the Offeror is found to have an unacceptable safety record and/or safety program, the Offeror's response may be considered non-responsive and may not be considered for award.

The Offeror must submit:

- ☐ Section 00410, Statement of Offeror's Safety Experience;
- ☐ Section 00415CMR, Safety Information Form;
- **☐** Written Safety Program document

Section 00101CMR, Evaluation Criteria - Gatekeepers

Item 3: Financial Capability

Yes or No

 Provide evidence of financial capability and stability. The Offeror's financial capability must be appropriate to the size and scope of this Project.

The Offeror must submit:

☐ Letter from the Offeror's surety stating the Offeror's ability to acquire bonding in the amount of the full contract

Section 00101CMR, Evaluation Criteria - Gatekeepers

<u>Item 4: Acceptable Documentation</u>

Yes or No

The Offeror must submit all documents required by this solicitation. Failure to submit all required documents with acceptable responses and information meeting the applicable requirements of those documents may cause the Offeror to be deemed "non-responsive" and disqualified.

Section 00101CMR, Evaluation Criteria

Item 5: Experience of Construction Manager at Risk 25 points max

Provide past history of successful completion of similar size and scope projects utilizing the CMR project delivery method. The documentation shall be presented in sufficient detail to demonstrate that CMR projects are a primary business focus and service provided by the Offeror.

Use Section 00400CMR, Attachment C, to list projects that demonstrate experience meeting the following criteria that were successfully completed within the last **ten** (10) years:

- Five (5) completed or in progress projects (3 of the 5 projects must be completed) must be a CMR project of similar size, scope, and complexity;
- **Five (5)** completed or in progress projects (3 of the 5 projects must be completed) must be a project of similar size, scope, and complexity successfully completed for a publicly funded entity.

Section 00101CMR, Evaluation Criteria

Item 5: Experience of Construction Manager at Risk

Projects should demonstrate experience that includes (additional consideration will be given to projects combining multiple elements listed below):

- Projects demonstrating successful completion or those in progress of Performance Arts Centers, Cultural Centers, Civic, or Institutional Buildings.
- Projects constructed in the City of Austin.
- Projects with a Construction Cost Limitation between One Million (\$1,000,000) and Fifteen Million (\$15,000,000) Dollars.
- Projects with or pursuing LEED BD+C Silver Certification (preferably LEED BD+C v4 Building Rating System or higher).
- Projects consisting of new construction upon a master planned or campus site,
 with existing buildings to remain operational.

The Offeror must submit:

□ Section 00400CMR, Attachment C, Experience of Offeror – One (1) form consisting of two (2) pages per project

Section 00101CMR, Evaluation Criteria

Item 6: Experience of CMR Teams Members

25 points max

The City has identified the Key personnel as the Project Manager (10 points), Preconstruction Manager (5 points), Superintendent (7 points) and Cost Estimator (3 points).

Use Section 00400CMR, Attachment D, to list **five (5)** projects that demonstrate Key Personnel experience meeting the following criteria that were successfully completed or in progress within the last **ten (10)** years:

- Experience in project of similar scope, size and complexity as the project described in this solicitation;
- Experience in projects completed using CMR projects of similar size, scope, and complexity as this project;
- CMR project successfully completed with the same or majority of the CMR team identified.

Section 00101CMR, Evaluation Criteria

Item 6: Experience of CMR Team Members

Projects should demonstrate experience that includes (additional consideration will be given to projects combining multiple elements listed below):

- Projects demonstrating successful completion or those in progress of Performing Arts Centers, Cultural Centers, Civic, or Institutional Buildings.
- Projects constructed in the City of Austin.
- Projects with a Construction Cost Limitation between One Million (\$1,000,000) and Fifteen Million (\$15,000,000) Dollars.
- Projects with or pursuing LEED BD+C Silver Certification (preferably LEED BD+C v4 Building Rating System or higher).
- Projects consisting of new construction upon a master planned or campus site,
 with existing buildings to remain operational.

Section 00101CMR, Evaluation Criteria

Item 6: Experience of CMR Team Members

The Offeror must submit:

- Section 00400CMR, Attachment D one page per project per individual
- Resumes of Key Personnel two pages per individual
- Letters of commitment that the named individuals will be those working on this project – one page per individual

Section 00101CMR, Evaluation Criteria

Item 7: Experience of Subconsultants/Subcontractors 10 points max

 The City has identified the LEED Consultant (7 points) and MBE/WBE/Small Business Outreach (3 points) as the key subcontractor to the CMR.

The LEED Subconsultant must have experience on CMR projects of similar size, scope and complexity. The LEED Subcontractor must be currently an active LEED BD+C Accredited Professional in good standing with USGBC.

Section 00101CMR, Evaluation Criteria

Item 7: Experience of Subconsultants/Subcontractors

The Specific Construction Experience required for this project (additional consideration will be given to projects combining multiple elements listed below):

- Projects demonstrating successful completion or those in progress of Performing Arts Centers, Cultural Centers, Civic, or Institutional Buildings.
- Projects constructed in the City of Austin.
- Projects with a Construction Cost Limitation between One Million (\$1,000,000) and Fifteen Million (\$15,000,000) Dollars.
- Projects with or pursuing LEED BD+C Silver Certification (preferably LEED BD+C v4
 Building Rating System or higher).
- Projects consisting of new construction upon a master planned or campus site,
 with existing buildings to remain operational.

Section 00101CMR, Evaluation Criteria

Item 7: Experience of Subconsultants/Subcontractors

The Offeror must submit:

| Ш | Section 00400CMR, Attachment E, Statement of Experience for Major | |
|---|--|--|
| | Subcontractors - One (1) form consisting of two pages per project to list | |
| | five (5) projects that were successfully completed within the last ten (10) | |
| | years. | |
| | Identify relevant project experience for each Major Subcontractor and its role in the project. | |
| | Resumes of Key Personnel – two (2) pages per individual | |
| | A letter of commitment for each Major Subconsultant / Subcontractor | |
| | identified to have a relevant role in this project | |

Section 00101CMR, Evaluation Criteria

Item 8: CMR Team Structure

10 points max

Organizational Charts (3 points) — Provide two (2) organizational charts, one for preconstruction services and one for construction and construction administration, which specify project leadership roles and reporting responsibilities for Key Personnel of CMR, Project Personnel and Major Subcontractors including but not limited to those previously identified. (Organizational charts may be provided on 11x17 paper size) One (1) page limit per each chart.

Team Structure and Communications (7 points) – Identify relevant project experience for each major Subcontractor and its role in the project. Describe which Team members are responsible for the major tasks and how each will communicate within the CMR Team and with City's Project representative and personnel. Three (3) page limit.

Section 00101CMR, Evaluation Criteria

Item 9: Work Approach and Delivery Schedule 15 points max

The Offeror must demonstrate capability to perform the work by proposing a detailed work plan and schedule for how this Project will be delivered, including CMR's approach to managing the Project schedules, performing constructability reviews, quality control, and cost control. **Delivery Schedule should be based upon the target completion date of December 2024.**

Section 00101CMR, Evaluation Criteria

Item 9: Work Approach and Delivery Schedule

Offeror must submit:

- Construction Planning (7 Points) Provide recommendations to GMPs or partial GMPs and any substantial time or budget savings associated with the CMR's recommended changes. One (1) page limit;
- Cost Control (5 Points) Provide detailed strategy for cost control on the project. One (1) page limit;
- Schedule (3 Points) Provide work approach to delivering the Project considering the budget (Construction Cost Limitation) and Substantial Completion date. Also propose how you might complete the project earlier than the target completion date. One (1) page limit.

Section 00101CMR, Evaluation Criteria

Item 10: CMR's Reputation, Quality of Goods & Services, and Business Practices 20 points max

- **Business Outreach Practices (5 points)** Provide narrative of your business practices to provide hiring opportunities for MBE/WBE and Historically Underutilized Businesses on a race and gender-neutral basis, including small businesses and other historically underutilized businesses in the Austin Corporate City Limits. One (1) page limit;
- Sustainable Processes (5 points) Provide a narrative on business practices and internal policies that describe your use of recycled, reclaimed, or refurbished construction materials and any landfill waste diversion. Additionally, describe your internal policies and practices that encourage identification of opportunities for water and energy conservation, reducing greenhouse gas emissions, and purchasing environmentally preferable products. Two (2) page limit;
- Quality and Performance (10 points) The Offeror's reputation and quality of performance on the projects identified will also be evaluated by past performance on City of Austin projects. Offerors who have had Contractor Performance Evaluations (CPE) completed for previous projects with the City of Austin will receive an average of their five-year scores. Offerors who have had no previous projects with the City of Austin will receive an average of all the contractor's performance evaluation five-year scores.

Section 00101CMR, Evaluation Criteria

Item 11: CMR Team Experience with Austin-Area Issues 10 points max

CMR Team's experience with Austin-area issues, inclusive of work performed in the Austin area during the past five (5) years:

- Site development and building permit requirements;
- Required inspections and documentations;
- Austin environmental requirements and expectations;
- Austin-area construction costs and standard practices;
- Use of Austin-area construction trades;
- Public awareness and involvement in project development in the Austin area.
- Construction on active Austin Parkland
- Achieving LEED BD+C v4 or higher Silver Certification
- Achieving Austin Energy Green Building (AEGB) Certification

The Offeror must submit:

☐ A descriptive narrative. Three (3) page limit

Section 00101CMR, Evaluation Criteria

Item 12: Local Business Presence

5 points max

The City seeks opportunities for businesses with a Local Business Presence in the Austin Corporate City Limits to participate on City contracts thereby providing a minimal environmental footprint through reduced transportation time and costs associated with Project delivery. A firm (Offeror or Subcontractor) is considered to have a Local Business Presence if the firm is headquartered in the Austin Corporate City Limits, or has a branch office located in the Austin Corporate City Limits in operation for the last five (5) years. The City defines headquarters as the administrative center where most of the important functions and full responsibility for managing and coordinating the business activities of the firm are located. The City defines branch office as a smaller, remotely located office that is separate from a firm's headquarters that offers the services requested and required under this solicitation. Points will be awarded through a combination of the Offeror's Local Business Presence and/or the Local Business Presence of their subcontractors. Evaluation of the Team's Percentage of Local Business Presence will be based on the allocation of work as reflected in the Offeror's MBE/WBE Compliance Plan.

Section 00101CMR, Evaluation Criteria

<u>Item 12: Local Business Presence</u> – cont.

| Team's Local Business Presence | Points Awarded |
|--|----------------|
| Local business presence of 90% to 100% | 5 |
| Local business presence of 75% to 89% | 4 |
| Local business presence of 50% to 74% | 3 |
| Local business presence of 25% to 49% | 2 |
| Local presence of between 1 and 24% | 1 |
| No local presence | 0 |

Offeror must submit:

☐ Section 00461, Local Business Presence Identification Form

Section 00101CMR, Evaluation Criteria

Item 13: Service-Disabled Veterans Business Enterprise (SDVBE)

4.5 points max

The City seeks opportunities for SDVBE certified firms to participate on City contracts. A firm (Prime Contractor) is considered an SDVBE if the firm is certified by the State of Texas, Historically Underutilized Business (HUB) Program with the State Comptroller's Office. Firms that meet this qualification shall receive a 3% preference of the total possible evaluation points toward their formal proposal, excluding interview points. (See Section 00101CMR, Evaluation Criteria – Overview for "Total Possible Points") The SDVBE preference only applies to Prime Contractors responding to Request for Qualifications (RFQ), not any subcontractors utilized.

Offeror must submit:

- Section 00480 SDVBE Program Acknowledgement Form
- Copy of Certification from the U.S. Dept of Veterans Affairs, stating status

Section 00101CMR, Evaluation Criteria

Item 14: Proposed Fees

30 points max

Proposals will be evaluated based upon the competitiveness of the following:

- Construction Manager's Fee 20 points
- General Conditions Stipulated Sum 10 points

Offeror must submit:

□ Section 00300CMR - Cost Proposal Form and Attachments:
 □ A-1: Construction Manager's Percentage Fee;
 □ A-2: General Conditions Stipulated Sum; (Provide a detailed itemization of General Conditions, staff and temporary amenities, including field offices and construction supplies in a spreadsheet format is preferred).
 □ A-3: Preconstruction Phase Services Estimate

The Mechanics of Section 00300CMR Cost Proposal Form

Solicitation Requirements, Contract Forms and Conditions of the Contract

COST PROPOSAL FORM Section 00300CMR

City Manager Austin, Texas

The Owner has established a Construction Cost Limitation of \$4,800,000.00. The Contract Amount will consist of the Preconstruction Phase Stipulated Sum, the Construction Manager Fee Stipulated Sum, a General Conditions Stipulated Sum, and the Cost of the Work, with the Cost of the Work and a Guaranteed Maximum Price to be established through an Amendment, or if applicable Amendments.

- A. Construction Manager's Fee. The Fee will consist of a percentage multiplier to cover construction Manager's General & Administrative Expenses, Overhead, and Profit. Construction Manager's Fee will consist of the following items:
 - a. General and Administrative Expenses represents expenses to manage the business, that portion of indirect cost that is applied to the whole operation (i.e. officers / executives' salaries, legal and professional fees, communications, utilities, insurance, depreciation of office building and equipment, office rents, office supplies, etc.)
 - Overhead represents expenses managed by a specific portion of a company's operation (i.e. engineering overhead, labor or manufacturing overhead, material handling, subcontract management, etc.)
 - c. Profit represents the financial benefit that will be realized for the duration of the project. This will be used separately from the Construction Manager's Fee when preparing Hourly Wage Rates for the successful proposer's staff during preconstruction and within general conditions.

It shall not include any items that are listed on the Estimate of Costs for General Conditions Attachment A2 to this 00300CMR but may include Project Manager/Superintendent bonuses/incentives/rewards. **Attachment A1** to this 00300CMR lists the items that may be included in the Construction Manager's Fee. The CM Fee will consist of a percentage fee.

Construction Manager Fee:

- B. General Conditions Stipulated Sum. Based upon currently known and reasonably anticipated Project requirements, Proposer shall prepare an estimated Stipulated Sum for General Conditions costs attributable to the Work. The estimate must address all currently known Project requirements in sufficient detail to be evaluated. Attachment A2 to 00300CMR lists which items must be included in and excluded from your Proposal.
 - Provide a detailed itemization of all staff and temporary amenities, including field offices and construction supplies.
 - b. The Project staff must correlate to the information previously provided for in the organizational chart and the key persons assigned to this Project, with percentage of time allocated to this Project for each staff position listed.
 - c. All items shall be sufficiently detailed in your Proposal to be readily identifiable as an approved General Condition cost. Once the General Conditions Stipulated Sum

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Construction Manager's Fee consists of:

- 1. General & Administrative Expenses
- 2. Overhead
- 3. Profit

The Mechanics of Section 00300CMR

Cost Proposal Form

Solicitation Requirements, Contract Forms and Conditions of the Contract

Attachment A1 to 00300CMR

Construction Manager Fee Stipulated Sum

The Construction Manager Fee will provide full compensation for this Project's proportionate share of the Construction Manager's General & Administrative Expenses, Overhead, and Profit, as defined in Section A, above.

All Project related expenses in connection with maintaining and operating Construction Manager's office, including:

- Salaries of Construction Manager's officers, project manager(s), estimators, and schedulers-excluding all costs included in the General Conditions Stipulated Sum.
- (2) Salaries of persons employed in the office of the Construction Manager whose time is devoted to the general conduct of the Construction Manager's business,
- (3) Construction Manager⁷s office overhead or general expenses of any kind exclusively related to this Project's proportionate share of same.
- (4) Services and, personnel, accounting, budget control, audit and management information systems relating to accounting in Construction Manager's officeexcluding all costs related to General Conditions.
- (5) Interest on the Construction Manager's capital or on money borrowed by the Construction Manager, including the capital employed by the Construction Manager in the performance of the Work.
- (6) Amounts required to be paid by Construction Manager for Federal and/or State income and franchise taxes related to the Work.
- (7) Legal, accounting, or other similar professional services provided by or to Construction Manager, regarding disputes, arbitrations, litigations or other such proceedings with Subcontractors, with municipal authorities, with the Owner, the A/E or any other person or entity relating to the Project.

Authorized Signature

By signature hereon, Proposer's authorized agent ("Agent") certifies that all necessary corporate acts have been taken to authorize the Agent to sign this document and bind Proposer under this and any related documents that may result from Proposer's Proposal.

| | Proposer/Construction Manager |
|--|-------------------------------|
| | By: Authorized Signature |
| | Authorized Signature |
| | Name: |
| | Title: |
| Secretary, *if Proposer is a Corporation | |
| (Seal) | Date |
| | |
| | Address |
| | Telephone Number / Fax Number |

Attachment A1 to 00300CMR

- Includes a list of items which can be included within the fee.
- Not meant to be all-inclusive, but covers the vast majority of items encountered by the City.

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Section 00101CMR, Evaluation Criteria

Item 15: Presentation/Interview

25 points max

- The Owner may determine that it is necessary to interview Offerors prior to making a recommendation to the City Council. If Interviews are necessary, all Offerors will be interviewed.
- Firms will be invited, via an emailed letter, to present and interview. Topics
 are bulleted in the 00101CMR, but the Owner reserves the right to add
 other project-related areas of interest. Specific details will be outlined in
 the invitation letter.

Submission of eResponse

- ☐ Pefer to Appendix 2. Attachment 1 How to Submit Offers Online.
- ☐ Refer to Appendix 3 Attachment 1 How to Submit Offers Online attached to the solicitation documents.
- ☐ If the Offeror submits response electronically, the Offeror must fill out Appendix 4 eResponse Construction Manager-At-Risk Total Proposal Form.
- ☐ Offerors submitting electronically in Austin Finance Online must be registered to do business with the City

Summary

- ☐ Authorized Contact Persons:
 - Questions pertaining to the Submittal, Tracy Franklin at tracy.franklin@austintexas.gov
 - Questions pertaining to the Scope of Work, David Nicks at david.nicks@austintexas.gov
 - Questions pertaining to MWB/WBE compliance, Jessica Oberembt at jessica.overembt@austintexas.gov
- □ Deadline for questions is April 15, 2021
- ☐ Submittals are due prior to 2:00 PM on April 26, 2021

Questions?





